

REMARKS

This paper is in response to the Examiner's Office Action of May 17, 2004. The Examiner's comments in that Action have been carefully considered.

Applicants respectfully request a three month extension of time to reset the due date for response from August 17 to November 17, 2004. A check in the amount of \$490.00 is enclosed in payment of the Small Entity extension fee. In the event that this amount is not sufficient, please charge any remainder due to our account no. 10-0100.

Claims 1-45 are of record. The Examiner has indicated that claims 1-33 have been provisionally rejected on the basis of double patenting, and he has not further treated or examined these claims. In order to place this application in condition for allowance, claims 1-33 have been canceled without prejudice to reinstatement or re-filing in a continuation application.

Claims 34-45 are rejected as being fully anticipated by U.S. Publ. No. 2002/0144154 to Tomkow. As to claim 34, the Examiner has indicated that Tomkow teaches all of the steps of the method, including storing the information by the mail center, directing applicants' attention to paragraphs 6, 29, 30 and 192 of the reference. This rejection is respectfully traversed.

The method of the subject application's claim 34 differs from the system and method of Tomkow in a number of respects. One aspect of the invention defined in claim 34 is the storing of information by the mail center. Tomkow expressly teaches away from this step, thus, for example, referring to paragraph 30 on page 3 of the Publication, Tomkow indicates that the server can provide verification "without retaining the message." It is evident, then, that the information is not stored or retained by the Tomkow system.

U.S. Patent Application of Barra et al. – Serial No. 09/771,546
Amendment – Art Unit: 3621

As to claim 41, the Examiner states that Tomkow teaches the method exactly, including the step of comparing the authentication database with the database on the sending computer. However, a review of the paragraphs to which applicants are directed demonstrates they do not appear to reveal or even remotely suggest the step disclosed in claim 41.

In view of the foregoing, it is respectfully submitted that the rejections of the claims on the basis of full anticipation under 35 U.S.C. 102 are prima facie deficient, and it is respectfully requested that these rejections be reconsidered and withdrawn.

This application appears to be in condition for allowance. Allowance and issuance is, accordingly, respectfully solicited.

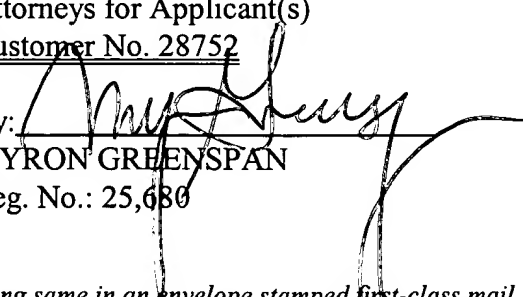
Applicant hereby petitions that any and all extensions of time of the term necessary to render this response timely be granted. COSTS FOR SUCH EXTENSION(S) AND/OR ANY OTHER FEE DUE WITH THIS FEE DUE WITH THIS PAPER THAT ARE NOT FULLY COVERED BY AN ENCLOSED CHECK MAY BE CHARGED TO DEPOSIT ACCOUNT #10-0100.

Date: November 17, 2004

Respectfully submitted,

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I hereby certify that this correspondence is being filed by depositing same in an envelope stamped first-class mail, addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, in a duly marked U.S. Postal Service drop box, with appropriate postage, on the following date:

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November 17, 2004

Date